

REMARKS

Reconsideration and allowance are respectfully requested in view of the foregoing amendments and the following remarks.

Claims 1-5, 7-8, 10-16 and 18-21 are pending in this application.

Claims 6, 9, and 17 have been canceled without prejudice.

Claims 19-21 have been added.

Regarding the § 102 Rejections

Claims 1, 2, 7, 8, and 10-14 were rejected under 35 U.S.C. § 102(e) as being anticipated by Kulkarni et al. (U.S. Patent No. 6,068,352).

Claims 1-10 and 14-16 were rejected under 35 U.S.C. § 102(b) as being anticipated by Wood (U.S. Patent No. 5,709,435).

Claims 1, 2, 4, 5, 7, 8, 13, and 14 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kline et al (U.S. Patent No. 4,938,542).

Claims 1, 2, 7, 8, 10, and 14 were rejected under 35 U.S.C. § 102(b) as being anticipated by Pokrinchak et al (U.S. Patent No. 3,738,710).

Claim 14 was rejected under 35 U.S.C. § 102(e) as being anticipated by Woerner et al (U.S. Patent No. 6,075,439) or under 35 U.S.C. § 102(b) as being anticipated by Aichele et al. (U.S. Patent No. 4,856,850).

Claims 1, 2, 4, 5, 7, 8, 10 and 14 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hughes (U.S. Patent No. 5,442,332).

Application respectfully points out that none of the art cited, teaches, alludes to or anticipates, at least, a pressure sensor for providing pressure information to a CPU wherein the

pressure sensor measures the pressure within the brake system of a towing vehicle. As such, Applicant respectfully submits that all the rejected claims are not anticipated by the cited art and respectfully requests that the § 102 rejection be withdrawn. Applicant respectfully submits that the claims are ready for allowance.

Regarding the Objected Claims

Applicant appreciates the Examiner's indication that claims 17 and 18 would be allowed if rewritten in independent form including all the limitations of the base claims and any intervening claims. As such, Applicant has canceled claim 17 and incorporated it into claim 15. Applicant respectfully submits that claim 15 is ready for allowance.

Regarding the New Claims

Claims 19, 20 and 21 have been added in order to claim novel aspects of the present invention worthy of patentability. Applicant respectfully requests a thorough examination of these new claims in view of the cited art and submits that these claims are ready for allowance.

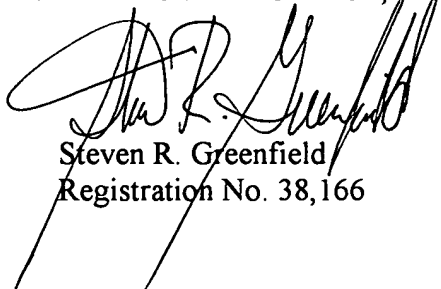
Should the Examiner have any further questions or comments facilitating allowance, the Examiner is invited to contact Applicant's representative indicated below to further prosecution of this application to allowance and issuance.

Should the Examiner have any further questions or comments facilitating allowance, the Examiner is invited to contact Applicant's representative indicated below to further prosecution of this application to allowance and issuance.

In view of the above, it is believed that this application is in condition for allowance, and such a Notice is respectfully requested.

Respectfully submitted,

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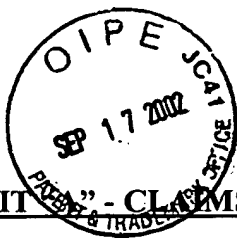


EXHIBIT "A" - CLAIMS MARKED TO SHOW CHANGES

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1 1. (Amended) A brake controller system comprising:
2 brakes located on a towed vehicle;
3 a brake activator for applying force to said brakes;
4 a brake control unit in communication with said brake activator, said brake
5 control unit having a CPU, said brake control unit adapted to receive electrical energy from a
6 battery;
7 [a battery in electrical communication with said brake control unit for supplying
8 power to said brake control unit;]
9 voltage regulation circuitry in electrical communication with said brake control
10 unit;
11 said CPU in electrical communication with a bus that is in communication with at
12 least said brake activator such that said CPU provides a variable brake activation signal to said
13 brake activator;
14 a pressure sensor for providing pressure information to said CPU, said pressure
15 sensor measuring a pressure within a master brake cylinder of a towing vehicle; and
16 a voltage booster adapted to receive electrical energy from said battery and
17 provide boosted voltage to [in electrical communication with said battery and with] said brake
18 activator.

1 14. (Amended) A method for operating a brake controller system comprising [the
2 steps of]:

3 receiving, by a CPU, a pressure signal indicating an amount of pressure in a
4 master brake cylinder of a towing vehicle;

5 signaling a voltage booster, by said CPU, to supply additional voltage above a
6 towing vehicle standard voltage; and

7 actuating the towed vehicle brakes.

1 15. (Amended) [The] A method for operating a brake controller system for a
2 towed vehicle comprising [the steps of]:

3 sensing brake fluid pressure within a towing vehicle's master brake cylinder
4 [vehicle brake system with a pressure sensor];

5 sensing current in an electric brake system on said towed vehicle;

6 calculating with a brake controller unit the appropriate amount of brake force to
7 be applied by [said] a brake activator;

8 determining, by said CPU, whether a voltage booster is required to supply
9 additional voltage to said [towing] towed vehicle's electric brake system;

10 actuating said towed vehicle's electric brakes without actuating said towing
11 vehicle brakes by use of a manual thumb brake switch;

12 generating a signal from said brake controller unit that is based upon and
13 directly proportional to a linear position of the manual thumb brake switch; and

14 activating said brake activator with said signal; and

15 applying an appropriate amount of brake force with an appropriate amount of
16 voltage as directed by said brake controller unit.

- 1 16. (Amended) The method for operating a brake controller system according to
- 2 claim 15 further comprising [the steps of]:
- 3 signaling brake lights and a brake activator with said brake controller unit over a
- 4 brake line by multiplexing signals over said brake line.

EXHIBIT "B" - PENDING CLAIMS

1 1. (Amended) A brake controller system comprising:
2 brakes located on a towed vehicle;
3 a brake activator for applying force to said brakes;
4 a brake control unit in communication with said brake activator, said brake
5 control unit having a CPU, said brake control unit adapted to receive electrical energy from a
6 battery;
7 voltage regulation circuitry in electrical communication with said brake control
8 unit;
9 said CPU in electrical communication with a bus that is in communication with at
10 least said brake activator such that said CPU provides a variable brake activation signal to said
11 brake activator;
12 a pressure sensor for providing pressure information to said CPU, said pressure
13 sensor measuring a pressure within a master brake cylinder of a towing vehicle; and
14 a voltage booster adapted to receive electrical energy from said battery and
15 provide boosted voltage to said brake activator.

1 2. The brake controller system according to claim 1 wherein said brakes are electric
2 brakes.

1 4. The brake controller system according to claim 1 wherein:
2 said brake activator is comprised of magnets; and

3 a current sensor for maintaining constant amperage to the towed vehicle brakes.

1 5. The brake controller system according to claim 4 wherein:

2 said CPU adjusts a signal for brake activation, based at least partially on data
3 from said current sensor.

1 7. The brake controller system according to claim 1 wherein:

2 wherein said brake control unit is located within a towing vehicle.

1 8. The brake controller system according to claim 1 wherein:

2 said bus communicates said CPU with brake lights on said towing vehicle.

1 10. The brake controller system according to claim 1 wherein:

2 said bus is a brake wire that receives multiplexed signals.

1 11. The brake controller system according to claim 1 further comprising:

2 a display on a front face of said brake controller unit and in communication with
3 said CPU for use as a visual indicator to an operator.

1 12. The brake controller system according to claim 1 further comprising:

2 a control panel on said brake controller unit comprising an adjust selection display down
3 button, and adjust selection display up button, an enter selection displayed button and a scroll
4 menu button.

1 13. The brake controller system according to claim 1 further comprising:
2 a manual thumb brake switch on brake controller unit for manually operating said
3 brakes.

1 14. (Amended) A method for operating a brake controller system comprising:
2 receiving, by a CPU, a pressure signal indicating an amount of pressure in a
3 master brake cylinder of a towing vehicle;
4 signaling a voltage booster, by said CPU, to supply additional voltage above a
5 towing vehicle standard voltage; and
6 actuating the towed vehicle brakes.

1 15. (Amended) A method for operating a brake controller system for a towed
2 vehicle comprising:
3 sensing brake fluid pressure within a towing vehicle's master brake cylinder;
4 sensing current in an electric brake system on said towed vehicle;
5 calculating with a brake controller unit the appropriate amount of brake force to
6 be applied by a brake activator;
7 determining, by said CPU, whether a voltage booster is required to supply
8 additional voltage to said towed vehicle's electric brake system;
9 actuating said towed vehicle's electric brakes without actuating said towing
10 vehicle brakes by use of a manual thumb brake switch;
11 generating a signal from said brake controller unit that is based upon and
12 directly proportional to a linear position of the manual thumb brake switch; and

13 activating said brake activator with said signal; and
14 applying an appropriate amount of brake force with an appropriate amount of
15 voltage as directed by said brake controller unit.

1 16. (Amended) The method for operating a brake controller system according to
2 claim 15 further comprising:

3 signaling brake lights and a brake activator with said brake controller unit over a
4 brake line by multiplexing signals over said brake line.

1 18. The method for operating a brake controller system according to claim 15 further
2 comprising the steps of:

3 storing data within a CPU of said brake controller system;

4 displaying at least a portion of said data with an alphanumeric display as a visual
5 indicator to the vehicle operator during operation of the brake controller;

6 wherein said data is selected from a group comprising: Brake Gain; Time; Date;
7 Last Maximum Brake; Last Maximum Stroke; Last Test: Maximum Brake; Last Test: Maximum
8 Stroke; Truck Control: Serial Number; Truck Control: Date Manufactured; Truck Control; Born
9 on Date; Trailer Control: Serial Number; Trailer Control: Date Manufactured; Trailer Control:
10 Born on Date; Run Diagnostic: Test Brakes.

1 19. A trailer brake system comprising:

2 a master brake fluid pressure sensor for measure a brake fluid pressure of a brake
3 system in a towing vehicle and for providing a brake fluid pressure signal;

4 a brake controller for controlling a brake activator, said brake activator being for
5 activating a trailer brake, said brake controller comprising a CPU for receiving said brake fluid
6 pressure signal and for generating a signal for said brake activator so that said trailer brake is
7 activated with a force related to said brake fluid pressure signal.

1 22. The trailer brake system of claim 19, further comprising:
2 a finger control for actuating said trailer brake system without actuating said brake system of
3 said towing vehicle, said finger control being electrically connected to said CPU, said finger
4 control generating a braking signal based on a movement or position of said finger control.

1 23. The brake controller system of claim 19, further comprising:
2 a display connected to said CPU for displaying trailer brake related information to user during
3 operation of said trailer brake system, said trailer brake related information being at least one of
4 Brake Gain; Time; Date; Last Maximum Brake; Last Maximum Stroke; Last Test: Maximum
5 Brake; Last Test: Maximum Stroke; Truck Control: Serial Number; Truck Control: Date
6 Manufactured; Truck Control; Born on Date; Trailer Control: Serial Number; Trailer Control:
7 Date Manufactured; Trailer Control: Born on Date; and Run Diagnostic: Test Brakes.